



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/583,532   | 06/16/2006  | Tadashi Amino        | 08228/096001        | 3162             |
| 22511 7590 06/03/2011  |             |                      |                     |                  |
| OSHA LIANG L.L.P.<br>TWO HOUSTON CENTER<br>909 FANNIN, SUITE 3500<br>HOUSTON, TX 77010 |             |                      |                     |                  |
| EXAMINER   |             |                      |                     |                  |
| WONG, ALLEN C  |             |                      |                     |                  |
| ART UNIT   |             | PAPER NUMBER         |                     |                  |
| 2482   |             |                      |                     |                  |
| NOTIFICATION DATE  |             | DELIVERY MODE        |                     |                  |
| 06/03/2011   |             | ELECTRONIC           |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com  
hathaway@oshaliang.com  
kennedy@oshaliang.com

# Office Action Summary

**Application No.**

10/583,532

**Applicant(s)**

AMINO, TADASHI

**Examiner**

ALLEN WONG

**Art Unit**

2482

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2011.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 7 and 8 is/are pending in the application.  
4a) Of the above claim(s) 7 and 8 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-3 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 16 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-940)  
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 3/22/11 with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

The 112, 1<sup>st</sup> paragraph rejection is withdrawn due to amendment.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi (7,010,032) in view of Feinleib (6,037,932).

Regarding claim 1, Kikuchi discloses a radio video transmission device for encoding and packetizing video data and radio-transmitting a packet (col.19, ln.33-40, Kikuchi discloses the coded or compressed moving video image data is transmitted via radio, wherein the RTP (real time transport protocol), the radio video transmission device comprising:

an encoder which encodes a video signal in units of a video signal (col.4, ln.18-21 and ln.30-39, Kikuchi discloses encoding video signals in units of multiple frames, wherein each frame comprises of units of blocks; also, fig.18, element 870 is a video encoder); and

a transmitter which generates a packet including the encoded information and sends the packet after adding serial number information indicating the order of transmission of the packet (col.4, ln.27-29, fig.1, element 25 is the real-time transport protocol sender for generating the packet for transport with the encoded information as illustrated in fig.5, wherein the RTP packet and payload that includes encoded information; col.13, ln.49-57, Kikuchi discloses the serial number information, from format as illustrated in fig.15C, to indicate the order of the video data packets is added to the packet to the format as illustrated in fig.15B for adding the information needed to distinguish the order of the transmission of the packet).

Kikuchi does not disclose video signal corresponding to a plurality of vertical periods. However, Feinleib teaches the packet is encoded to include the video signal corresponding to plurality of vertical periods (col.4, ln.48-53, Feinleib discloses that broadcast video signals, comprising video frames, are encoded by element 80 that encodes the VBI or vertical periods to include the associated broadcast video signals, in col.6, ln.18-37, Feinleib discloses the data packets are encoded to include the video signals that corresponds to the VBI data or vertical period into compatible formats for transmitting data). Therefore, it would have been obvious to one of ordinary skill in the art to combine the known teachings of Feinleib with Kikuchi, as a whole, for encoding video data in formats that are conducive to efficient, precise video data transmission so as to conveniently compress and transport video data in a robust manner.

Regarding claim 2, Kikuchi discloses a signal generation device for encoding and packetizing video data (col.19, ln.33-40, Kikuchi discloses the coded or compressed

moving video image data is transmitted via radio, wherein the RTP (real time transport protocol), comprising:

an encoder which encodes a video signal in units of a video signal (col.4, ln.18-21 and ln.30-39, Kikuchi discloses encoding video signals in units of multiple frames, wherein each frame comprises of units of blocks; also, fig.18, element 870 is a video encoder); and

an adder which generates a packet including the encoded information and adds serial number information indicating the order of generation of the packet to the packet in the order in which the packet is generated (col.4, ln.27-29, fig.1, element 25 is the real-time transport protocol sender for generating the packet for transport with the encoded information as illustrated in fig.5, wherein the RTP packet and payload that includes encoded information; col.13, ln.49-57, Kikuchi discloses the serial number information, from format as illustrated in fig.15C, to indicate the order of the video data packets is added to the packet to the format as illustrated in fig.15B for adding the information needed to distinguish the order of the transmission of the packet).

Kikuchi does not disclose video signal corresponding to a plurality of vertical periods. However, Feinleib teaches the packet is encoded to include the video signal corresponding to plurality of vertical periods (col.4, ln.48-53, Feinleib discloses that broadcast video signals, comprising video frames, are encoded by element 80 that encodes the VBI or vertical periods to include the associated broadcast video signals, in col.6, ln.18-37, Feinleib discloses the data packets are encoded to include the video signals that corresponds to the VBI data or vertical period into compatible formats for

transmitting data). Therefore, it would have been obvious to one of ordinary skill in the art to combine the known teachings of Feinleib with Kikuchi, as a whole, for encoding video data in formats that are conducive to efficient, precise video data transmission so as to conveniently compress and transport video data in a robust manner.

Regarding claim 3, Kikuchi discloses wherein a flag indicative of a header portion of the packet is added to the header portion of the packet (col.5, ln.8-16, Kikuchi discloses the flag, HEC (header extension code), is utilized to indicate the header portion of the packet that is added to the header portion of the packet, wherein fig.3C and 3D are illustrations of header information of the video packet).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALLEN WONG whose telephone number is (571)272-7341. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm Flextime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Allen Wong  
Primary Examiner  
Art Unit 2482

Application/Control Number: 10/583,532  
Art Unit: 2482

Page 7

/Allen Wong/  
Primary Examiner, Art Unit 2482